The Speech of the Earl of *Shaftsbury* then Lord Chancellor, when Serjeant *Thurland* was made Baron of the *Exchequer*.

Mr. Serjeant *Thurland*,

THe King of his Grace and Favor, hath made choice of you to be One of the Barons of the *Exchequer*. He designed to place you in a Court of more Profit, though not of more Dignity; but your own Modesty and Vertue hath chosen this Court, where you thought you could serve the King best. And I could not omit to mention it here to your Honor, it being the greatest instance of a good Man, That he had rather be found serviceable than rich. His Majesty hath had large proof of your former Services; besides He takes you upon the credit of that Recommendation, that hath *justly* the best place with Him, I mean His *Royal Brothers*.

Some few things it is fit I should here mention to you, and leave with you as Admonitions, or rather Remembrances. In the first place, you are to maintain the *Kings Prerogative*; and let not the *Kings Prerogative*, and the *Law*, be two things with you. For the *Kings Prerogative* is *Law*, and the Principal Part of the *Law*; and therefore in maintaining that, you maintain the *Law*. The Government of *England* is so excellently interwoven, that every part of the *Prerogative* hath a broad mixture of the Interest of the Subject; the ease and safety of the People being inseparable from the Greatness and Security of the Crown.

In the next place, let me advise you, that you acquaint your self with the *Revenue*, as also with the *Ancient Records*, *Precedents*, and *Practice* of this Court. For want of which knowledge, I have seen this Court a most excellent *Common Pleas*, when at the same time, I could not say so much for it as an *Exchequer*.

In the third place, let me recommend to you, so to manage

manage the *Kings Juſtice* and *Revenue*, as the King may have moſt *Profit*, and the Subject leaſt *Vexation*. Raking for old Debts; the number of Informations; projects upon Concealments: I could not find in the Eleven years experience I have had in this Court ever to advantage the Crown. But ſuch proceedings have for the moſt part delivered up the Kings good Subjects into the hands of the worſt of men.

There is another thing I have obſerved in this Court, that I ſhall mind you of, which is, When the Court hearkens too much to the *Clerks* and *Officers* of it; and are too apt to ſend out *Proceſs*, when the Money may be raiſed by other ways more eaſie to the People. I do not ſay, That the Kings duty ſhould be loſt, or that the ſtricteſt courſe ſhould not be taken, rather than that be: But when you conſider, how much the *Officers* of the Court and the *Under-Sheriffs*, get by *Proceſs* upon ſmall Sums, more than the Kings duty comes to; and upon what ſort of People this falls, to wit, the *Farmer*, *Husbandman*, and *Clothier* in the Countrey, that is generally the *Collector*, *Conſtable*, and *Tithing-man*; and ſo diſturbs the induſtrious part of the Nation, you will think it fit to make that the laſt way, when no other will ſerve.

Give me leave alſo to mind you of one thing more, which is in your Oath, *That the Kings needs ye ſhall ſpeed before all others*: That is, the buſineſs of the *Revenue of the Crown* you are to diſpatch before all other, and not turn your Court into a Court of *Common Pleas*; and let that juſtle out what you were conſtituted for.

In the laſt place, let me conclude with what concerns all my *Lords* the *Judges*, as well as you, let me recommend to you the *Port*, and way of living ſuitable to the dignity of your place, and what the King allows you. There is not any thing gains more Reputation and Reſpect to the Government, than that doth: And let me tell you, *Magiſtrates* as well as *Merchants* are ſupported by *Reputation*.

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